

REMARKS

Claims 13 and 14 are all the claims pending in the application.

Claim 13 has been amended to incorporate the recitation of claim 33, except that “after surgery” has been changed to “postoperatively” and “patient” has been changed to “subject.” Claim 33 has been canceled. Accordingly no new issue of patentability arises. Further, no new matter is added.

A. Claim Rejections - 35 U.S.C. § 112

Claims 13 and 14 remain rejected and new claim 33 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement for the reasons of record.

The Examiner states that the data in the specification does not demonstrate treatment of cancer. Rather, according to the Examiner, the data demonstrates that anti PD-1 antibody is capable of enhancing cytotoxic T cell activity toward PD-L1 over-expressing cells *in vivo*.

The Examiner requests that clinical data be presented to show the efficacy of anti PD-1 antibody to treat cancer.

In response, Applicants direct the Examiner to the following URL:

http://www.asco.org/ASCO/Abstracts+%26+Virtual+Meeting/Abstracts?&vmview=abst_detailview&confID=55&abstractID=34904

which describes clinical trials with anti-PD-1 on patients with cancer.

In view of the clinical data demonstrating efficacy to treat cancer, the Examiner is requested, respectfully, to reconsider and remove this rejection.

B. Claim Rejections - 35 U.S.C. § 102

Claims 13 and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Wood et al. (US Patent No. 6,808,710; see entire document), for the reasons of record.

This rejection is overcome by amending claim 13 to incorporate the recitation of non-rejected claim 33.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

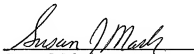
Respectfully submitted,

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